

2005 Senate Bill 524

Date of enactment: **May 25, 2006**
Date of publication*: **June 9, 2006**

2005 WISCONSIN ACT 457

AN ACT *to create* 15.155 (6) and 101.596 of the statutes; **relating to:** creating a building inspector review board.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.155 (6) of the statutes is created to read:

15.155 (6) BUILDING INSPECTOR REVIEW BOARD. (a) There is created a building inspector review board which is attached to the department of commerce under s. 15.03 that consists of the following members:

1. The senate majority leader or his or her designee.
2. The speaker of the assembly or his or her designee.
3. The secretary of commerce or his or her designee.
4. A member representing building contractors and building developers who is actively engaged in the on-site construction of public buildings, places of employment, or one-family and two-family dwellings.

5. A building inspector certified by the department of commerce, to inspect public buildings, places of employment, or one-family and two-family dwellings.

(b) The members appointed under par. (a) 4. and 5. shall serve for 5-year terms.

SECTION 2. 101.596 of the statutes is created to read:

101.596 Building inspector review board. (1)

DEFINITIONS. In this section:

(a) “Board” means the building inspector review board.

(b) “Building inspector” means any of the following:

1. A person who is certified under rules promulgated by the department to make inspections of public buildings and places of employment.

2. A person who is certified under rules promulgated by the department to make inspections under subch. II.

(c) “Permittee” means a person who is issued a building permit for a public building or a place of employment or a person who is issued a building permit under subch. II.

(2) RESPONSIBILITIES. (a) The review board shall review complaints received from permittees concerning possible incompetent, negligent, or unethical conduct by building inspectors.

(b) After reviewing a complaint received under par. (a), the review board may revoke the certification of a building inspector if the board determines that the building inspector has engaged in incompetent, negligent, or unethical conduct.

(c) The review board may modify or reverse decisions made by building inspectors if the board finds that the decision by the building inspector was made in error.

(3) PROCEDURES; CONFIDENTIALITY. (a) If a permittee makes a complaint to the review board concerning a building inspector, the permittee may do one of the following:

1. Request that the complaint remain anonymous, subject to par. (b).

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

2. Allow the complaint to be presented to the building inspector and not remain anonymous.

(b) If the permittee chooses to request that the permittee's complaint remain anonymous, the board may not review the complaint or modify or revoke the permit unless the board receives 2 additional anonymous complaints regarding the inspector. If 2 or more additional complaints are made, the review board shall proceed with its review, and none of the complaints may continue to be anonymous.

(c) If the permittee allows his complaint to be presented to the inspector without requesting anonymity, the

review board shall proceed with the review.

SECTION 3. Nonstatutory provisions.

(1) Notwithstanding the length of terms specified for the members of the building inspector review board under section 15.155 (6) (b) of the statutes, as created by this act, the term of the member specified under section 15.155 (6) (a) 4. of the statutes, as created by this act, shall be for a term expiring on May 1, 2008, and the term for the member specified under section 15.155 (6) (a) 5. of the statutes, as created by this act, shall be for a term expiring on May 1, 2010.